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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,396	09/05/2003	Michael Maschke	P03,0321	8533

EXAMINER	
SALL, EL HADJI MALICK	

ART UNIT	PAPER NUMBER
2157	

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SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/656,396

Applicant(s)

MASCHKE ET AL.

Examiner

El Hadji M. Sall

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application filed on September 5, 2003. Claims 1-10 are pending. Claims 1-10 represent method for network-based realization of a project proposal as a project.

2. ***Claim Rejections - 35 USC § 102***

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being unpatentable by Gundewar et al. U.S. 6,381,610.

Gundewar teaches the invention as claimed including system and method for implementing project procedure (see abstract).

As to claims 1 and 2, Gundewar teaches a method for a network-supported realization of a project based on a project proposal for the realization of which a sequence of successive work steps to be implemented is provided, comprising:

providing a first electronic page that can be loaded from a first computer with a second computer via an information transfer network, the first electronic page comprising a field in which a project proposal can be entered with the second computer (column 1, lines 58-65),

automatically creating an electronic file comprising the project proposal (column 7, lines 33-43);

registering the project proposal in the field (column 2, lines 21-24);

automatically producing a first electronic message about the electronic file (column 7, lines 33-37);

automatically transmitting the first electronic message to a first person (column 7, lines 37-43);

assigning the electronic file to a second person from a first group of people (column 7, lines 44-66);

automatically producing a second electronic message about the electronic file (column 7, lines 33-37);

automatically transmitting the second electronic message to the second person (column 7, lines 37-43);

automatically producing a further electronic message about the electronic file (column 7, lines 33-37); and

automatically transmitting the further electronic message to a further person or a further group of people that should implement a sequence work step following a preceding implemented work step (column 7, lines 37-43).

As to claims 3 and 4, Gundewar teaches the method according to claims 1 and 2, further comprising: augmenting the electronic file during at least one of the work steps (column 2, lines 11-24).

As to claims 5 and 6, Gundewar teaches the method according to claims 1 and 2, further comprising: summarizing the work steps to be implemented of the sequence of work steps to be implemented on a second electronic page (column 6, lines 32-47).

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As to claims 7 and 8, Gundewar teaches the method according to claims 5 and 6, wherein the second electronic page comprises a piece of information about the current work step to be implemented (column 8, line 61 to column 9, line 3).

As to claims 9 and 10, Gundewar teaches the method according to claims 1 and 2, further comprising: preparing at least a third electronic page that comprises an instruction for at least one work step of the sequence of work steps (column 3, lines 38-53).

4.

Citation of Relevant Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art: 6898625, 6915275, 6965877, 7051036, 20020116210, 20030208435, and 20030225683.

5.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157



YVES DALENCOURT
PRIMARY EXAMINER
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